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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 JANINE CHANDLER, *et al.*,

12 Plaintiffs,

13 v.

14 JEFFREY MACOMBER, *Secretary of the*  
15 *California Department of Corrections and*  
*Rehabilitation, et al.*,

16 Defendants.  
17

Case No. 1:21-cv-01657-JLT-HBK

ORDER TO PLAINTIFFS TO FILE  
SUPPLEMENTAL BRIEFING AND  
ALLOWING KENNARD LEE DAVID  
TO FILE SUPPLEMENTAL BRIEFING  
RE: THE COURT'S JURISDICTION

14-DAY DEADLINE

18 Recently, the Court denied Davis's Motion to Intervene, (*see* Doc. 96), and on August 13,  
19 2024, Davis filed an interlocutory appeal. (Docs. 107, 110.) The Clerk of Court processed her  
20 appeal, and it remains pending before the Ninth Circuit. (Doc. 109.)

21 On the same date that Davis filed her Notice of Appeal, she filed the instant Motion for  
22 Reconsideration and Request for Judicial Notice. (Doc. 106.) The Plaintiffs oppose the motion.  
23 (Doc. 111) In their briefs, neither the plaintiffs nor Ms. Davis addressed the Court's jurisdiction  
24 to consider the motion for reconsideration in light of the pending appeal. Thus, the Court

25 **ORDERS:**

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1. **Within 14 days**, the plaintiffs **SHALL** and Ms. Davis **MAY**, file a brief, **not to exceed five pages**, as to the Court's jurisdiction to consider the motion for reconsideration. The Court will disregard any pages in excess of the first five.

IT IS SO ORDERED.

Dated: **August 27, 2024**

  
UNITED STATES DISTRICT JUDGE